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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bernd STAHL et al. Confirmation No: 4218
Appl. No. : 10/502,059
Filed : August 2, 2004
Title : CYCLOGLYCANS SUITABLE TO INHIBIT MAMMALIAN
INFECTION

TC/A.U. : 1609
Examiner : J.S. Lau

Docket No.: : STAH3007/REF
Customer No: : 23364

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of July 23, 2007, in connection with the above identified application. This response is timely filed.

The Official Action is a restriction requirement in which it is urged that there are two separate and distinct inventions claimed in this application. Applicants elect the Group I invention which includes claims 19-32 and 35, without traverse. It is further urged that this application contains claims directed to more than one species of the generic invention as set forth on page 2 of the outstanding Official Action. Currently, claims 19-26 and 28-35 are said to be generic and claim 27 is said to be subgeneric. Applicants elect the Species cycloglycan, with traverse, for the following reasons.

Applicants most respectfully submit that they cannot see that a cycloglycan bound to an inert carrier is considered as an invention lacking unity with the invention directed to the cycloglycans as such. The present application is the National Stage of a PCT application and unity of invention applies. In this regard, the pharmaceutical active substances are the cycloglycans regardless as to whether they are present in free form or bound to an inert carrier. It is a common pharmaceutical feature to anchor or bind respectively, a pharmacological active substance to such an inert carrier.


Claims 19-32 and 35 are readable on the elected invention.

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Applicants reserve the right to file one or more divisional applications on the non-elected inventions at a later time.

In view of the election of the Group I invention, without traverse, and Species election, with traverse, an early and favorable action on the merits is now believed to be in order and is most respectfully requested.

Respectfully submitted,
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Response to RR.wpd
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